

BEFORE THE  
CALIFORNIA BOARD OF OCCUPATIONAL THERAPY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Petition to Revoke  
Probation Against:

CORINNE JALEH COOK

P.O. Box 954

Carlsbad, CA 92008

Occupational Therapy Assistant

License No. OTA 1348

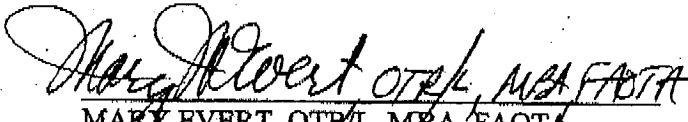
Respondent

Case No. OA 2004-124S

ORDER DENYING  
MOTION TO VACATE  
DEFAULT DECISION

The California Board of Occupational Therapy hereby denies your motion to vacate the  
Default Decision on March 17, 2011. Therefore your license shall be revoked effective April 8,  
2011.

IT IS SO ORDERED this 6th day of April 2011

  
MARY EVERT, OTR/L, MBA, FAOTA  
Board President

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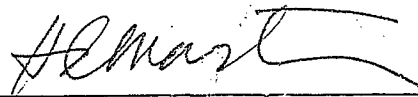
Respondent

Case No. OA 2004-124S

ORDER GRANTING STAY  
OF EXECUTION

On March 22, 2011, respondent submitted a motion and a Notice of Defense requesting the Board vacate its Default Decision. Accordingly, a 15-DAY STAY of the effective date of the decision is being granted for the purpose of allowing Board Members time to review respondent's motion requesting that the default be set aside. Respondent filed such written motion on March 23, 2011.

It is so ordered this 23<sup>th</sup> day of March, 2011.



HEATHER MARTIN  
Executive Officer

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4 **BEFORE THE**  
5 **CALIFORNIA BOARD OF OCCUPATIONAL THERAPY**  
6 **DEPARTMENT OF CONSUMER AFFAIRS**  
7 **STATE OF CALIFORNIA**

8 In the Matter of the Petition to Revoke  
9 Probation Against:

Case No. OA 2004-124S

10 **CORINNE JALEH COOK**  
11 **P.O. Box 954**  
12 **Carlsbad, CA 92008**

**DEFAULT DECISION AND ORDER**

[Gov. Code, §11520]

**Occupational Therapy Assistant**  
**License No. OTA 1348**

Respondent.

13 **FINDINGS OF FACT**

14 1. On February 15, 2011, Complainant Heather Martin, in her official capacity as the  
15 Executive Officer of the California Board of Occupational Therapy (Board), Department of  
16 Consumer Affairs, filed Petition to Revoke Probation No. OA 2004-124S against Respondent  
17 Corinne Jaleh Cook before the Board. (Petition to Revoke Probation attached as Exhibit A.)

18 2. On March 1, 2004, the Board issued Occupational Therapy Assistant License No.  
19 OTA 1348 to Respondent. The Occupational Therapy Assistant License was in full force and  
20 effect at all times relevant to the charges brought herein and will expire on November 30, 2012,  
21 unless renewed.

22 3. On February 16, 2011, Respondent was served by Certified and First Class Mail  
23 copies of the Petition to Revoke Probation No. OA 2004-124S, Statement to Respondent, Notice  
24 of Defense, Request for Discovery, and Discovery Statutes (Government Code sections 11507.5,  
25 11507.6, and 11507.7) at Respondent's address of record which, pursuant to Calif. Code of Regs,  
26 title 16, section 4102, is required to be reported and maintained with the Board, which was and is:  
27 P.O. Box 954, Carlsbad, CA 92008.  
28

1           4.     Service of the Petition to Revoke Probation was effective as a matter of law under the  
2 provisions of Government Code section 11505, subdivision (c) and/or Business & Professions  
3 Code section 124.

4           5.     Government Code section 11506 states, in pertinent part:

5                 (c) The respondent shall be entitled to a hearing on the merits if the respondent  
6 files a notice of defense, and the notice shall be deemed a specific denial of all parts  
7 of the accusation not expressly admitted. Failure to file a notice of defense shall  
8 constitute a waiver of respondent's right to a hearing, but the agency in its discretion  
9 may nevertheless grant a hearing.

10          6.     Respondent failed to file a Notice of Defense within 15 days after service upon her of  
11 the Petition to Revoke Probation, and therefore waived her right to a hearing on the merits of  
12 Petition to Revoke Probation No. OA 2004-124S.

13          7.     California Government Code section 11520 states, in pertinent part:

14                 (a) If the respondent either fails to file a notice of defense or to appear at the  
15 hearing, the agency may take action based upon the respondent's express admissions  
16 or upon other evidence and affidavits may be used as evidence without any notice to  
17 respondent.

18          8.     Pursuant to its authority under Government Code section 11520, the Board finds  
19 Respondent is in default. The Board will take action without further hearing and, based on the  
20 relevant evidence contained in the Default Decision Evidence Packet in this matter, as well as  
21 taking official notice of all the investigatory reports, exhibits, letters, and statements contained  
22 therein on file at the Board's offices regarding the allegations contained in Petition to Revoke  
23 Probation No. OA 2004-124S, finds that the charges and allegations in Petition to Revoke  
24 Probation No. OA 2004-124S, are separately and severally, found to be true and correct by clear  
25 and convincing evidence.

#### 26                                 DETERMINATION OF ISSUES

27          1.     Based on the foregoing findings of fact, Respondent Corinne Jaleh Cook has  
28 subjected her Occupational Therapy Assistant License No. OTA 1348 to discipline.

          2.     The agency has jurisdiction to adjudicate this case by default.

          3.     The California Board of Occupational Therapy is authorized to revoke Respondent's  
Occupational Therapy Assistant License based upon the following violations alleged in the

1 Petition to Revoke Probation which are supported by the evidence contained in the Default  
2 Decision Evidence Packet in this case.:

3 a. Failure to Comply with Probation Condition 2, requiring Respondent to submit  
4 quarterly written reports to the Board on a Quarterly Report of Compliance Form, by failing to  
5 return an authorization allowing her employer to release employment records to the Board as  
6 requested in correspondence to Respondent dated February 23, 2010.

7 b. Failure to Comply with Probation Condition 6, requiring Respondent to notify  
8 any current employer or prospective employer that her license was placed on probation, by failing  
9 to notify Rehabilitation Alliance, within five days of the effective date of the Decision, that her  
10 license had been placed on probation.

11 c. Failure to Comply with Probation Condition 6, requiring Respondent to notify  
12 the Board, in writing, within 5-days, of any changes in her employment status, by failing to notify  
13 the Board, in writing, within five days of the effective date of the Decision that she was employed  
14 by Rehabilitation Alliance.

15 d. Failure to Comply with Probation Condition 8, requiring Respondent to obtain  
16 prior approval from the Board, before commencing any employment, regarding the level of  
17 supervision provided to the Respondent while employed as an occupational therapist or  
18 occupational therapy assistant, by failing to secure prior approval from the Board regarding the  
19 level of supervision that would be provided to her at Rehabilitation Alliance, PHS Staffing, Titan  
20 Medical Group, and Interface Rehabilitation.

21 e. Failure to Comply with Probation Condition 16, requiring Respondent to  
22 immediately submit to biological fluid testing, at Respondent's cost, upon request by the Board or  
23 its designee, by failing to submit to biological fluid testing on July 9, 13, 15, 20, and 22, 2010,  
24 and failing to find and secure a drug testing facility to conduct random biological fluid testing in a  
25 timely manner. Board correspondence dated June 24, 2009, instructed Respondent to secure  
26 testing by July 24, 2009, the effective date of the probation. Respondent did not secure testing  
27 until February 15, 2010. Additionally, Respondent's urine specimen collected on May 3, 2010,  
28 was positive for alcohol in EtG (ethyl glucuronide) and EtS (ethyl sulfate) testing. Respondent

1 attributed the positive test to consuming a cough medication that may have contained alcohol.  
2 Respondent acknowledged receiving information titled "Medications Safe to Use in Recovery"  
3 that was provided to her to prevent a positive test for this reason. Respondent also failed to  
4 maintain a current and active account with FirstLabs Inc., the testing vendor. Testing was  
5 suspended by FirstLabs Inc. on July 27, 2010, due to non-payment of past due fees and will  
6 remain in effect until reimbursement in the amount of \$547.00 is paid in full.

7 ORDER

8 IT IS SO ORDERED that Occupational Therapy Assistant License No. OTA 1348,  
9 heretofore issued to Respondent Corinne Jaleh Cook, is revoked.

10 Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a  
11 written motion requesting that the Decision be vacated and stating the grounds relied on within  
12 seven (7) days after service of the Decision on Respondent. The agency in its discretion may  
13 vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

14 This Decision shall become effective on March 25, 2011.

15 It is so ORDERED March 17, 2011

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18 FOR THE CALIFORNIA BOARD OF OCCUPATIONAL  
19 THERAPY  
20 DEPARTMENT OF CONSUMER AFFAIRS  
21

22 Attachment:  
23 Exhibit A: Petition to Revoke Probation

24 SD2010702568  
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